

Board of Selectmen
Minutes of 8/11/03
Approved 8/25/2003

I. Call to Order.

The meeting was called to order by the Chair, Lloyd Sullivan at 7 p.m. There were present Allen Hines and Jenifer Landman, Selectmen, Michael Pardue, Town Administrator and NormaJean Fowler, Recording Secretary.

II. Selectmen Items

A. PD Associates/Aquarion Water Company

Elmer Peese from PD Associates addressed the BoS regarding a proposed affordable housing project for the elderly to be located on the East side of Rt. 1 by Breakfast Hill Road. He told the BoS that the project has been before the Planning Board and that one of the major issues with the project is the lack of municipal water available due to the moratorium. He is seeking guidance from the BoS on other avenues to investigate regarding getting access to municipal water.

Ms. Landman questioned if there were existing lines that could be hooked into the municipal system. Mr. Reese informed her that there were existing lines from Aquarion.

Mr. Reese requested that the BoS send a letter to the DES supporting the project and inquiring as to the status of the moratorium. Mr. Sullivan stated that he didn't have a problem with sending a letter to DES but stated that he didn't feel it would help.

Ms. Landman was not in favor of sending a letter to DES. She stated that there had been serious shortages over the past few years and the DES & Aquarion were in the process of trying to manage the resource.

Mr. Sullivan stated that he wouldn't mind calling Aquarion to find out the status of the moratorium.

The BoS decided not to write to the DES or Aquarion in support of the development project.

B. RPC to discuss a possible bike/walking path for Rte. 151

Scott Bogle from the Rockingham Planning Commission addressed the BoS regarding the proposal for a bike/walking path on Rte. 151. This project was supported by the BoS previously but the DOT funding was awarded to another project. He is asking the BoS to reaffirm its support for the project. He stated that Greenland is supporting the project as well. The estimated funding from the Town of North Hampton would be \$63,000.00. He is requested that the BoS submit a letter of support pledging this amount.

Mr. Sullivan stated that they had supported this project in the past and that he would support it at this time. He suggested that it be put on a Warrant Article.

Ms. Landman stated that she was very much in support of such a project. She questioned what type of material would be used (gravel or blacktop) and also questioned the time frame of the project.

Mr. Bogle stated that the surface would be as the roadway blacktop and that there was a 4' shoulder and DOT submitted the application in July. It should be going before the Planning Commission in September or October and the hearings should be held in February or March. He stated that the funds would not be needed until 1 year from next May. The entire project cost was 1.65 Million and it was funded by 80% federal funds and 20% non-federal funds.

Ms. Landman made a motion to write a letter in support of the project and having the issue put on a Warrant Article in 2004 in the amount of \$63,000.00. Mr. Hines seconded the motion.

VOTED: To write a letter in support of the project and having the issue put on a Warrant Article in 2004 in the amount of \$63,000.00. 3-0.

C. Town Audit

Mr. Pardue made a proposal for Mason & Rich to perform an audit for the sum of \$6,500.00 in accordance with the budgeted amount in order to bring the Town into compliance with Gatsby accounting.

Mr. Sullivan stated that up until now we were exempt from the Government Accounting Standards but that we must now be in compliance. Ms. Landman questioned why we were previously exempt and Mr. Sullivan stated that it was due to of the amount of funds exceeding a threshold.

Mr. Sullivan made a motion to accept the proposal from Mason & Rich to perform an audit and to agree to the cost of \$6,500.00. Mr. Hines seconded the motion.

VOTED: To accept the proposal from Mason & Rich to perform an audit and to agree to the cost of \$6,500.00. 3-0.

D. Town Recycling Center- Closure Discussion

Mr. Sullivan discussed the drop in the use of the recycling center since the weekly curbside collection has begun. He stated that it was showing a remarkable reduction in use. He also stated that the BoS needed more time to get a better idea on the use of the center. He stated that there was not going to be any discussions at this time to close the center but that it will be revisited next year after more information is obtained. Many members of the audience applauded this news.

Mr. Jeff Church addressed the BoS regarding implementing a program in the schools to encourage children to recycle and that he would like to see more companies do recycling in North Hampton in order to keep the price competitive.

Ms. Landman asked if Laurel Pohl could address the BoS on this issue as Ms. Pohl had done extensive research on this matter. Mr. Sullivan stated that Ms. Pohl could address the BoS in the Questions and Comments to be held at the end of the meeting. Ms. Landman stated that she felt now would be a better time for Ms. Pohl to speak because the issue is before the BoS now. Mr. Sullivan stated that we should follow the agenda as written and that Ms. Pohl would have an opportunity to speak at the end of the meeting.

E. Feasibility of Town Planner Position

Mr. Sullivan stated that many towns are looking into the feasibility of hiring a Town Planner. He stated that the study has not been completed yet and that because the Planning Board objects to hiring a Town Planner he would suggest holding off on the discussion until a later date. Ms. Landman asked if he was tabling the issue or just not entertaining it at this time. Mr. Sullivan stated that he was not entertaining the issue at this time.

Mr. Hines stated that he was in favor of hiring a planner. He felt that there must be a reason that other towns have elected to hire a town planner. Mr. Sullivan agreed but stated that the Planning Board had made its feelings clear regarding this issue.

Dr. Arena stated that the Planning Board was doing a good job and that he felt that it was an insult to the Planning Board by suggesting that they hire a planner.

F. Planning Board- Performance Guarantee- Re: 9 Lafayette Retail Complex

Mr. Sullivan stated that the BoS received a letter from the Planning Board regarding the BoS approve a bond of \$198,548.00 for the retail complex. Ms. Landman asked what type of bond it would be and Mr. Sullivan stated that it would be an irrevocable bond.

Mr. Sullivan made a motion to approve an irrevocable bond in the amount of \$198,548.00 for the retail complex located at 9 Lafayette Road. Mr. Hines seconded the motion.

VOTED: To approve an irrevocable bond in the amount of \$198,548.00 for the retail complex located at 9 Lafayette Road. 3-0

G. Recreation Commission Advisory Board Recommendation RE: "Allowing dogs at Dearborn Park"

Mr. Sullivan discussed a letter received from the Recreation Commission regarding their request that dogs be allowed in Dearborn Park. The letter stated that the dogs would be on leashes and the owners would be responsible for cleaning up after their pets. Mr. Sullivan did not feel that this would be a good idea. Ms. Landman stated that while she was a pet owner she did not feel this was a good idea. She stated that when you have children and several animals in the same space

it was inviting trouble. Mr. Hines stated that he had no feelings one way or the other, but agreed that he did see the problem with having children and animals in the same park. The request to allow pets at the park failed to receive a motion.

H. Transfer of Little River Marsh Land to Audubon Society of New Hampshire

This discussion was tabled at the request of the Conservation Commission. It will be on the Agenda for the next scheduled meeting.

I. Revised Lease Agreement between the Town and Friends of Centennial Hall

Mr. Pardue stated that the changes made to the lease were minimal. Ms. Landman explained to the audience that 1 year ago the Town agreed to lease a parking space adjacent to Centennial Hall to the Friends of Centennial Hall for the sum of \$1.00. The Friends of Centennial Hall just need the proper documentation. The BoS signed off on the lease.

J. Training for Elected Officials, Managers and Staff

Mr. Pardue discussed the upcoming training on August 26 from 1-4 p.m. and September 25, from 6-9 p.m. The training, which will be conducted by the NHMA will focus on hostile work environments, harassment and sexual harassment. Mr. Sullivan explained that it was mandatory for all employees to attend one of the sessions. Mr. Pardue requested that the BoS vote to close the Town Offices on August 26th from 1-4 p.m. so those employees that were working could attend the training.

Ms. Landman made a motion to close the Town Offices on August 26th from 1-4 p.m. so employees can attend the mandatory training session. Mr. Hines seconded the motion.

VOTED: To close the Town Offices on August 26th from 1-4 p.m. so employees can attend the mandatory training session. 3-0

K. New Hampshire Estuaries Project Management Plan Study Commission Appointment

The Conservation Commission is to do a study and come back before the BoS with a report and recommendations.

L. TAC Appointment to Rockingham Planning Commission

Mr. Sullivan asked if the BoS had any nominations for this position. Ms. Landman nominated Bob Landman for the position. She stated that he had been the TAC Representative for approximately 10 years. She told the BoS that he played a part in getting the free bike path for the Town, that he had perfect attendance. There was no second to this nomination.

Mr. Hines nominated Chuck Gordon. Mr. Sullivan seconded the nomination of Chuck Gordon.

VOTED: To nominate Chuck Gordon as the Representative to the Rockingham Planning Commission. 2-1 Ms. Landman against.

M. Selectmen Board Appointments

Mr. Hines nominated Mr. Sullivan to be the Selectmen's Representative to the Planning Board. Ms. Landman stated that she would like to be considered for the alternate.

Mr. Hines made a motion to appoint Mr. Sullivan as the Selectmen Ex Officio Representative to the Planning Board.

VOTED: To appoint Mr. Sullivan as the Selectmen's Ex Officio Representative to the Planning Board. 3-0

Mr. Sullivan made a motion to appoint Ms. Landman as the Alternate Selectmen Ex Officio Representative to the Planning Board.

VOTED: To appoint Ms. Landman as the Alternate Selectmen Ex Officio Representative to the Planning Board. 3-0

N. Questions and Comments Related to the Above Topic Areas

Laurel Pohl addressed the BoS and gave them a spreadsheet report she had compiled regarding the recycling center and its potential profitability. She told the BoS that according to the figures provided to her for the past four fiscal years the Town has been selling its secondary materials well below market value and that if the Town were to sell its secondary materials at market value the recycling center could become a profitable business. She also questioned why members of the BoS told the taxpayers that the curbside recycling would be a free service. Mr. Sullivan informed Ms. Pohl that her time limit was up and she stated that she was speaking on behalf of a group and requested that she be allowed the 10-minute time limit. Mr. Sullivan ruled her out of order and stated that the meeting was not the place for people to castigate members of the board. Ms. Pohl protested but was ruled out of order.

Judy Day asked the BoS if she could ask Ms. Pohl about the figures and she was allowed to address Ms. Pohl to inquire about the availability of figures.

Ms. Landman thanked Ms. Pohl for doing such extensive research. She feels that the Town should be promoting the recycling center. She stated that the reason that use of the center was down was because many residents think the center is already closed. She also stated that the recycling center accepts materials that are not being picked up by Waste Management.

Mr. Sullivan asked if Bob Strout help explain this issue.

Mr. Strout stated that the Town works through the New England Resource Recovery and that the Town has a small facility and cannot store recyclable materials in bulk. Because they can't make full loads this results in a drop in price.

Mr. Hines asked if Mr. Strout had ever heard of any such thing as a profitable recycling center and Mr. Strout stated that he did not know of any.

Don Gould addressed the board and stated that he felt that the BoS should write a letter supporting the proposed elderly housing units. He feels that water for affordable housing is more important than water for a golf course.

Gail Walter addressed the board regarding the audit proposal. She feels that the Town should get more than 1 bid on this in order to keep the prices competitive. She also addressed the board regarding the upcoming training sessions on harassment. She feels that training should be ongoing and that a committee should be formed to suggest future training sessions.

Dr. Arena addressed the board regarding the proposed elderly housing project and stated that Aquarion has the final decision regarding subdivision.

III. Administration/Business

A. Town Administrator's Report

Mr. Pardue discussed the following matters:

1. The heavy equipment operator position has been posted and applications were received. Interviews took place and a conditional offer has been made. The tentative start dated for the position is August 18, 2003.
2. Mosquito control continues. Staff have received complaints in the past week and they have been passed on to Mr. Morrison. Mr. Morrison sent Mr. Pardue an e-mail explaining that because of the weather humidity in the past few weeks the mosquito population has grown because of the inability to spray during wet and humid weather. Ms. Landman requested that Mr. Pardue ask Mr. Morrison about the current data on the West Nile Virus and Eastern Equine Encephalitis. He stated that he would get the data for her.
3. Red Mabey has been working on contacting an electrician to address the multiple power feeds into the Town offices. They may be on site this week.
4. Mr. Mabey and Mr. Strout completed the storm water report and it has been submitted to the State.
5. The drinking fountains are now installed in Dearborn Park.
6. Mr. Mabey is working on addressing the backflow valves on the flow valves to the Town buildings.
7. The forestry truck is almost ready to be placed in service. The Fire Department is waiting for a nozzle assembly and then the truck will be ready to be placed in service.

8. Fuel bids are going out this week.

9. The final figures for video recording equipment should be in this week.

Mr. Sullivan mentioned that the Town Moderator had requested payment for last year in the amount of \$225.00. He also discussed Delores Chase's bill for \$1,834.00 for venetian blinds for windows.

Ms. Landman made a motion to approve the sum of \$1,834.00 to complete the project. Mr. Hines seconded the motion.

VOTED: to approve the sum of \$1,834.00 to complete the project. 3-0

Mr. Pardue informed the BoS that the compression unit was out in the Town Clerk's office and that the replacement fee received from Lamprey was \$1,500.00.

Mr. Pardue also discussed letters he had received regarding complaints of high speed on South Road/Exeter Road. He is going to follow up on that issue. Mr. Sullivan stated that those were roads controlled by the State and that the matter should be sent to the State. Ms. Landman suggested that the TAC Representative be asked to look into the matter.

B. Draft Policy/Procedure Items

Mr. Pardue presented the BoS with drafts of the following proposed documents:

- i. Employee Application
- ii. Orientation Checklist
- iii. Disciplinary/Counseling Notice

Ms. Landman asked if the Employment Application had a question on it about being related to anyone in the Town's employ. Mr. Pardue stated that it did not, and he wasn't sure if this was an allowable question on an Employment Application.

C. Correspondence

Mr. Pardue received a letter from Priscilla Levitt regarding the fee structure being charged by Waste Management. He asked the BoS how they would like him to respond. Ms. Landman stated that the Town does not have authority over what a business charges, that the Town simply allowed them to do business by permit.

The BoS members signed off on tax rebates agreed to in a previous meeting for property owners providing restoration to old barns.

D. Approval of Minutes

- I. June 23, 2003 Open Session
- II. July 14, 2003 Open Session
- III. July 14, 2003 Non-Public Session
- IV. July 28, 2003 Open Session
- V. July 31, 2003 Open Session

Ms. Landman made a motion to accept the minutes as of June 23, 2003 as amended, the minutes of July 14, 2003 open session and non-public as reported, July 28, 2003 as amended and July 31, 2003 as reported. Mr. Hines seconded the motion.

VOTED: To accept the minutes as of June 23, 2003 as amended, the minutes of July 14, 2003 open session and non-public as reported, July 28, 2003 as amended and July 31, 2003 as reported.. 3-0

E. Veteran's Exemption

None presented.

E. Payroll

Payroll was signed off on.

F. Manifest

Manifest was reviewed and signed off on.

Ms. Landman asked Mr. Pardue about the progress of having the website changed to a .gov site. Mr. Pardue stated that Virtual Town Hall was looking into it and he should have more information in the next two weeks.

IV. Adjournment

There being no further business to come before the Board in open session, Ms. Landman made the motion to adjourn the open session and move into Non-Public Session under RSA 91-A:3 II. Mr. Hines seconded the motion. The vote was unanimous and so moved. Open session adjourned at 8:50 p.m.

Respectfully submitted

NormaJean Fowler
Recording Secretary

***Mr. Pardue assumed the recording duties for the non-public session and recorded the below noted motions that were made by the Board following their return to public session.**

Mr. Hines made the motion to adjourn non-public session and return to public session. Ms. Landman seconded the motion. The vote was unanimous and so moved. Non-public session adjourned at 9:10pm.

MOTION: Mr. Hines made the motion to accept the proposal as offered by Comcast for Public, Education and Government (PEG) channel access as recommended by the Town Attorney advising on this matter. Mr. Sullivan seconded the motion. **The vote was 2-0 with Ms. Landman abstaining.**

MOTION: Mr. Sullivan made the motion to direct the Town Administrator to request the services of the Investigations Unit of the Attorney General's Office for the purpose of investigating the accusations and allegations of misconduct that have recently been publicly made against both himself and Mr. Hines. Mr. Hines seconded the motion. **The vote was 2-1 with Ms. Landman opposed.**

MOTION: Ms. Landman made the motion to adjourn the meeting. Mr. Hines seconded the motion. **The vote was 3-0. Meeting adjourned at approximately 9:17 p.m.**

Respectfully submitted,

Michael Pardue, Town Administrator